

VZCZCXRO9932
OO RUEHCHI RUEHDT RUEHHM RUEHNN
DE RUEHPF #0933 3520726
ZNR UUUUU ZZH
O 180726Z DEC 09
FM AMEMBASSY PHNOM PENH
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1468
INFO RUCNASE/ASEAN MEMBER COLLECTIVE PRIORITY

UNCLAS PHNOM PENH 000933

SENSITIVE
SIPDIS

STATE FOR EAP/MLS, DRL, G/TIP

E.O. 12958: N/A
TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KTIP](#) [KJUS](#) [CB](#)
SUBJECT: CAMBODIAN COURT PROSECUTES BOYAJIAN BROKER FOR
TRAFFICKING

REF: PHNOM PENH 707

¶1. (SBU) The Phnom Penh Municipal Court December 17 concluded the trial of Ho Nguy on charges of trafficking and conspiracy to traffick underage girls to have sex with foreign clients.

¶2. (SBU) Municipal-level anti-human trafficking police initially arrested the 26-year old Nguy in February 2009 when an investigation into American pedophile Ronald Boyajian uncovered Nguy's role as a broker. Nguy allegedly brought multiple girls to Boyajian's hotel room, where the American abused and forced the girls into sex acts. Nguy was briefly released by the municipal police, but quickly re-arrested after senior officers in the Anti-Human Trafficking and Juvenile Protection Police (AHTJP) Department intervened. Nguy has been in pre-trial detention since the second arrest.

¶3. (SBU) According to one 16-year-old victim's testimony at the trial, Nguy allegedly lured her from her family home in Svay Pak district outside Phnom Penh using promises of work, but instead delivered her to Boyajian. Boyajian was one of three Americans returned to the United States in August to stand trial on charges under the PROTECT ACT as part of the U.S. Immigration and Customs Enforcement Office's Operation Twisted Traveller. The victim testified that Nguy sexually abused her and other girls directly, in addition to trafficking them to foreign clients. A 9-year-old girl also testified to being transported to Phnom Penh by Nguy and then abused by Boyajian.

¶4. (SBU) A court observer from International Justice Mission (IJM) stated that the testimony of both girls was strong. The IJM worker, with knowledge of the case file, said the prosecution's evidence also included statements by Svay Pak residents that Nguy's primary source of income was brokering girls, photographs of Nguy with the victims, and photographs of him accepting money from clients. Local media reported that Nguy admitted engaging in the activities and quoted him saying "I really didn't know this business was against the law." Nguy's defense attorney claimed the charges were "unjust" because Boyajian was not available to shed light on the case. But the IJM observer said judge Chan Madina appeared to have little tolerance for that argument. A verdict is expected on December 25; if convicted, Nguy faces up to 15 years in prison.

¶5. (SBU) COMMENT: During his September visit to Post, which came on the heels of Operation Twisted Traveller, G/TIP Ambassador CdeBaca spoke frequently of the need for Cambodian authorities to match the cooperation on arresting and returning the Americans with arrests and prosecutions of Cambodian middle-men who facilitated the abuse (reftel). The trial of Ho Nguy demonstrates the critical follow-through Ambassador CdeBaca called for, and the increasing ability of law enforcement officials to investigate and prosecute trafficking cases in addition to child sex tourism cases.

END COMMENT.
LAWLESS